ASSIGNED

Serial No. 55199

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office AUG 16 1990

Returned to applicant for correction

Corrected application filed Map filed OCT 17 1990 under 55191

The applicant Yankee/Caithness Joint Venture, L.P.

P.O. Box 18160 (Street and No. or P.O. Box No.) of Reno (City or Town)

Nevada 89511 (State and Zip Code No.) hereby make S application for permission to change the

point of diversion & place of use (Point of diversion, manner of use, and/or place of use)

of water heretofore appropriated under Permit No. 40444 (Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is underground (Name of stream, lake, underground spring or other source.)
2. The amount of water to be changed 10.0 cfs (Second feet, acre feet. One second foot equals 448.83 gallons per minute.)
3. The water to be used for industrial and domestic (Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.)
4. The water heretofore permitted for industrial and domestic (Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.)
5. The water is to be diverted at the following point SW¼ NE¼ Section 32, T.18N., R.20E., M.D.B.&M., (Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.)
   or at a point from which the N¼ corner of said Section 32 bears N 22° 35' 04" W a distance of 1,835.35 feet. Well No. 63-32.
6. The existing permitted point of diversion is located within SW¼ NE¼ Section 6, T.17N., R.20E., (If point of diversion is not changed, do not answer.)
   M.D.B.&M., or at a point from which the N¼ corner of said Section 6 bears N 11° 59' W a distance of 1,998.5 feet.
7. Proposed place of use N½, NW¼ SW¼, NE¼ SW¼, NW¼ SE¼ and N½ SW¼ SW¼ Section 5, T.17N., R.20E., M.D.B.&M. and Section 32, T.18N., R.20E., M.D.B.&M. (Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)
8. Existing place of use Section 6, T.17N., R.20E., M.D.B.&M. (Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.)
9. Use will be from January 1st (Month and Day) to December 31st (Month and Day) of each year.
10. Use was permitted from January 1st (Month and Day) to December 31st (Month and Day) of each year.
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Drill well; depending upon reservoir conditions may or may not install pump and motor; install piping to power plant(s). (State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.)
12. Estimated cost of works Up to $900,000.00
13. Estimated time required to construct works Up to five (5) years.

14. Estimated time required to complete the application of water to beneficial use Up to ten (10) years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

The purpose of this application is to change the previously permitted point of diversion and place of use. The steam and geothermal fluid produced from this well may be utilized by an existing power plant and/or other electrical generation units located in Section 5, T.17N., R.20E., M.D.B.&M. and/or electrical generation units to be built in Section 32, T.18N., R.20E., M.D.B.&M.

By s/T. S. Deforg
for Yankee/Caithness Joint Venture, L.P.
P.O. Box 18160
Reno, Nevada 89511

Compared bc/jm am/se

Protested

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions: This permit to change the place of use of the geothermal fluid as heretofore granted under Permit 40444 is issued subject to the terms and conditions imposed in said Permit 40444 and with the understanding that no other rights on the source will be affected by the change proposed herein.

This permit is issued subject to existing rights. It is understood that the amount of geothermal fluid herein granted is only a temporary allowance and that the final right obtained under this permit will be dependent upon the amount actually placed to beneficial use. It is also understood that this right must allow for a reasonable decrease of fluid pressure and heat. The well shall be equipped and maintained to prevent any waste of the geothermal fluid. Accurate measurements must be kept of discharge of the production well and the amount of fluid injected into the injection well to determine the total amount of fluid diverted and consumed for a beneficial use.

The production and injection well are to be cemented from the producing levels to the surface to protect fresh water zones. This permit is issued subject to the condition that only geothermal fluids are to be diverted and used beneficially for heating purposes and fresh, cold water aquifers are not to be diverted. The used geothermal fluids are to be returned to the source via the injection well. The (CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 10.0 cubic feet per second, but not to exceed 722.7 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before July 27, 1991

Proof of completion of work shall be filed before August 27, 1991

Application of water to beneficial use shall be made on or before July 27, 1992

Proof of the application of water to beneficial use shall be filed on or before August 27, 1992

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E. State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 20th day of March, A.D. 19 91

R. Michael Turnipseed P.E.
State Engineer

(O)-1108 (Rev. 6-81)

(PERMIT TERMS CONTINUED)

issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies. A detailed log on the injection well and/or other analyses of the system used for returning the used geothermal fluids to the source must be submitted together with the Proof of Completion.

An annual report for this well must be filed under this permit describing the amount of geothermal fluid diverted and consumed to a beneficial use for the calendar year. This report must detail the amount of fluid produced and injected.

The total withdrawal of the geothermal fluid under this permit shall be limited to 7240 acre-feet per year but the total consumptive use of this permit shall not exceed 722.7 acre-feet annually. The State Engineer does not waive the right to make a determination of incidental fluid losses at any time and impose additional conditions thereto. This permit is further issued subject to the provisions of NRS 533.372(1) and with the understanding that the power or energy generated by the beneficial use of this water or steam is subject to recapture and use within the boundaries of the State of Nevada when the need arises.

The total combined consumptive use under Permits 50914, 53848, 55191, 55192, 55193, 55194, 55195, 55196, 55197, 55198 and 55199 shall not exceed the total combined diversion rate or 7963.67 acre-feet annually.